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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/558,090	11/23/2005	Jose de Jesus Pineda De Gyvez	NL 030629	3397
24737	7590	10/26/2006	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS			BAE, JI H	
P.O. BOX 3001			ART UNIT	
BRIARCLIFF MANOR, NY 10510			PAPER NUMBER	
			2115	

DATE MAILED: 10/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/558,090	PINEDA DE GYVEZ ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ji H. Bae	2115	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 November 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11-23-2005</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The information disclosure statement filed 23 November 2005 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 5, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Reyes et al., U.S. Patent No. 5,498,988.

Regarding claim 1, Reyes discloses an electronic circuit including a sequential logic element [Fig. 2, flip-flop 10] comprising:

a clock terminal for receiving a clock signal [iclk];

an input terminal for receiving an input signal [D];

an output terminal for receiving an output signal [Q];

circuitry for monitoring the input and output signals to provide a control signal [CTL] in response to said input and output signals;

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means for controlling a power consumption of the electronic circuit in response to the control signal [col. 2, line 64 to col. 3, line 8, lines 24-27, col. 4, lines 33-37, col. 6, line 62 to col. 7, line 2].

Regarding claim 2, Reyes teaches that the circuit is controlled at a rate determined by the clock signal.

Regarding claim 5, Reyes discloses an apparatus that includes the electronic circuit [col. 6, lines 51-61].

Regarding claim 6, Reyes discloses the electronic circuit of claim 1. Reyes also teaches the method implemented by the claimed circuit.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reyes in view of Gasztonyi, U.S. Patent No. 5,339,445.

Regarding claims 3 and 4, Reyes discloses the circuit of claim 1, but does not teach the provision of information related to future power consumption based on past logical events.

Gasztonyi discloses a computer system that compiles a history of the utilization of various assets within the computer system. Based on the history, the system predictively activates/deactivates the assets [col. 3, line 64 to col. 4, line 9].

It would have been obvious to one of ordinary skill in the art to combine the teachings of Reyes and Gasztonyi by applying the predictive power controlling method of Gasztonyi in the

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system of Reyes. Both Reyes and Gasztonyi are concerned with reducing power consumption in computer system. Reyes teaches that the circuit may be implemented in the context of a microprocessor-based system [col. 6, lines 51-61]. The teachings of the Gasztonyi would improve the microprocessor-based system of Reyes by allowing predictive control of the power supplying function, thus reducing power consumption, while at the same time preventing waiting time for the assets to be fully powered [Gasztonyi, col. 4, lines 6-9].

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Cesare et al., U.S. Patent Application Publication No. 2004/0225902 A1;

Frank et al., U.S. Patent No. 6,212,641 B1;

Kawasaki, U.S. Patent No. 6,101,609;

Hetzler, U.S. Patent No. 5,954,820;

Mittal et al., U.S. Patent No. 5,719,800;

Garg et al., U.S. Patent Application Publication No. 2006/0119991 A1;

Debnath et al., U.S. Patent No. 5,667,537;

Gunther et al., U.S. Patent No. 5,781,783;

Houston, U.S. Patent No. 6,307,281 B1;

Iwamura et al., U.S. Patent No. 5,457,790.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ji H. Bae whose telephone number is 571-272-7181. The examiner can normally be reached on Monday-Friday, 10 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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